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GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF AGRICULTURE
LANSING

KEITH CREAGH
DIRECTOR

AMENDED ZONING ORDER

Proposed February 9, 2011

Establishment of Zones for Bovine Tuberculosis

(Identification, Testing, Certificate, and Movement Requirements)

Pursuant to Public Act 466 of 1988, MCL 287.708 and MCL 287.709 (8-10)

Failure to comply with requirements under this zoning order may result in penalties under MCL 287.744.

Definitions

As used in this order the following terms are defined as:

"Cattle" means all bovine (genus *Bos*) animals, bovine-like animals (genus *Bison*) also commonly referred to as American buffalo or bison and any cross of these species unless otherwise specifically provided.

"Freezer Beef Herd" means a cattle herd approved by the director that passes an annual inspection verifying the herd is comprised of 6 or less head in which no breeding of cattle occurs, no cattle are moved to any other premises, and all cattle are raised only for personal consumption.

"Initial Identification" means the first time an official identification is placed on an animal, whether it is for tuberculosis testing, complying with movement requirements, or any other reason.

"Michigan Licensed Livestock Auction Market" means a premises licensed as a livestock auction under Public Act 284 of 1937, as amended, MCL 287.121 – 287.131.

"USDA Approved Livestock Market" means a premises where livestock are assembled and that has been approved under Title 9, *Code of Federal Regulations* (9 CFR), Section 71.20.

"Verified Wildlife Risk Mitigation Plan" means a written plan that contains structural and management requirements intended to reduce the risk that a herd will become infected with bovine tuberculosis that has been approved by the Department and verified by regulatory personnel to be in effect.

All Zones for Bovine Tuberculosis within Michigan

Livestock Inspection Check-Points

All livestock transportation equipment (vehicles) and anyone transporting livestock shall stop at any posted Livestock and Plant inspection Point. Cattle or privately owned cervidae that are being transported shall be accompanied by documentation of the origin of shipment, copies of the animal's registration or permit, documentation indicating the shipping destination and any other information necessary to demonstrate compliance with livestock movement requirements. Such documentation shall be produced upon the request by a law enforcement officer or the director.

Modified Accredited Zone – This zone includes the entirety of Alcona, Alpena, Montmorency, and Oscoda counties.

Cattle Identification Requirements

Initial identification of cattle, including cattle identified for TB testing or issuance of movement certificates, must utilize an RFID electronic identification ear-tag and an official USDA alpha-numeric eartag (silver tag). Official identification tags are premises specific and may not be transferred to another premises or used on cattle not included in the herd on the premises to which the tags were issued. All cattle must be identified with official RFID electronic identification eartags and an official USDA alpha-numeric eartag (silver tag) prior to movement from a premises.

Surveillance Testing Requirements

All cattle herds shall complete an annual whole herd bovine tuberculosis test of all cattle and bison 12 months of age and older, all non-natural additions of any age, and all goats or privately owned cervids 6 months of age or older that are in contact with the herd. Retesting of herds must be done within 9-15 months of the anniversary date of the initial whole herd test.

Any cattle herds which meet the requirements to be designated as freezer beef herds are exempt from the annual testing requirement.

Movement Testing Requirements

Movement within the Modified Accredited Zone

- Cattle must comply with one of the following prior to movement:
 - a) Originate directly from a bovine tuberculosis accredited free herd, or,
 - b) Originate from a herd which has received a whole herd test within 60 days prior to movement, or,
 - c) Receive a negative bovine tuberculosis test within 60 days prior to movement.
- Cattle less than 2 months of age may be moved if they originate from a herd that has completed a whole herd test within 12 months prior to movement.
- Cattle may be moved directly to a United States Department of Agriculture Food Safety Inspection Service approved slaughter plant, or through one Michigan licensed livestock auction market to a United States Department of Agriculture Food Safety Inspection Service approved slaughter plant, without meeting the tuberculosis movement testing requirements.

Movement to another Zone within Michigan

- Cattle 2 months of age and older must comply with one of the following prior to movement:
 - a) Originate directly from a bovine tuberculosis accredited free herd, or,
 - b) Originate from a herd that has received a negative whole herd bovine tuberculosis test within 12 months prior to movement, and receive a negative bovine tuberculosis test within 60 days prior to movement
 - c) Steers or spayed heifers are required to only have a negative bovine tuberculosis test within 60 days prior to movement.

- Cattle less than 2 months of age may be moved if they originate from a herd that has completed a whole herd test within 12 months prior to movement.
- Cattle may be moved directly to a United States Department of Agriculture Food Safety Inspection Service approved slaughter plant, or through one Michigan licensed livestock auction market to a United States Department of Agriculture Food Safety Inspection Service approved slaughter plant, without meeting the tuberculosis movement testing requirements.

Post-Movement Testing Requirements

Effective January 1, 2012 a person who receives cattle from a herd located in the Modified Accredited Zone or the Modified Accredited Advanced Zone that does not have a Verified Wildlife Risk Mitigation Plan shall complete a bovine tuberculosis test on the received cattle within 60-120 days from the movement date listed on the movement certificate. For movement certificates issued to a Michigan licensed livestock auction market, the owner identified as the purchaser on a movement certificate issued at the Michigan licensed livestock auction market, or the owner of the livestock saleyard for cattle that are not sold, are determined to be responsible for the testing.

If cattle that have not met the testing requirement are sold or transferred to another premises prior to the expiration of the testing interval, the person selling or transferring the cattle must notify the owner of the premises of destination of the testing requirement. The owner of the premises of destination of the sale or transfer shall be responsible for the required testing prior to the end of the testing interval. If the cattle have not been tested and cannot be located at the expiration of the testing interval requirement, the owner of the premises listed on the movement certificate or repermit shall be responsible for completing a whole herd bovine tuberculosis test within a time frame determined by the Director based upon the situation and operation type at that time.

Movement Certificate Requirements

An official movement certificate is required to be obtained prior to movement of any cattle from any premises in the Modified Accredited zone. Cattle moved to the USDA approved livestock market in Gaylord may move on sale day without a movement certificate if they comply with all other requirements and are delivered within designated arrival times, as designated by the director. All cattle shipped to a Michigan licensed livestock auction market must receive a new official movement certificate that identifies the final destination of movement.

Cattle being transported to another zone must be accompanied by a movement certificate(s) and the movement certificate(s) shall be produced upon the request of a law enforcement officer or the director.

The transporter of any cattle being moved within the zone must be able to immediately provide the correct permit number listed on the official movement certificate applicable to the movement upon request.

Modified Accredited Advanced Zone – This zone includes the Antrim, Charlevoix, Cheboygan, Crawford, Emmet, Otsego, and Presque Isle counties.

Cattle Identification

Initial identification of cattle, including cattle identified for TB testing or issuance of movement certificates, must utilize an RFID electronic identification ear-tag. Official identification tags are premises specific and may not be transferred to another premises or used on cattle not included in the herd on the premises to which the tags were issued.

All cattle must be identified with official RFID electronic identification ear-tags prior to movement from a premises within the Modified Accredited Advanced zone.

Surveillance Testing Requirements

Breeders

All cattle herds which sell or move to another premises one or more cattle on a movement certificate for the reason of BREEDING must complete an annual whole herd bovine tuberculosis test of all cattle and bison 18 months of age and older, and all goats or privately owned cervids 6 months of age or older in contact with the herd, unless specifically exempted by the director. Retesting of herds must be done within 9-15 months of the anniversary date of the initial whole herd test.

Finished Cattle

Any cattle herds which do not sell or move to another premises animals other than directly to a federally inspected slaughter plant or through a Michigan licensed livestock auction market directly to a federally inspected slaughter plant will be tested on a 3 year interval as determined by the director. Retesting of herds must be done within 33-39 months of the anniversary date of the initial whole herd test. The director will determine the date at which each herd must complete the first whole herd bovine tuberculosis test following the effective date of this order.

Feeders

All other cattle herds which move cattle that enter another livestock premises must complete a whole herd bovine tuberculosis test of all cattle 18 months of age and older, and all goats, bison, or privately owned cervids 6 months of age or older in contact with the herd every other year, unless specifically exempted by the director. Retesting of herds must be done within 21-27 months of the anniversary date of the whole herd test. The director will determine the date at which each herd must complete the first whole herd bovine tuberculosis test following the effective date of this order.

Any cattle herds which meet the requirements to be designated as freezer beef herds are exempt from surveillance testing.

Movement Testing Requirements

Movement within the Modified Accredited Advanced Zone

- Cattle originating from herds that have been determined to have a Verified Wildlife Risk Mitigation Action Plan
 - No TB testing is required for movement of cattle within the Modified Accredited Advanced Zone through a Michigan licensed livestock auction market to a final destination within the Modified Accredited Advanced Zone

- Cattle originating from herds that have been determined to **NOT** have a Verified Wildlife Risk Mitigation Action Plan
 - Cattle must have received a negative bovine tuberculosis test within 60 days prior to movement.
 - Cattle less than 2 months of age may be moved if they originate from a herd that is determined to not be overdue on tuberculosis surveillance testing.
 - Cattle may be moved directly to a United States Department of Agriculture Food Safety Inspection Service approved slaughter plant, or through one Michigan licensed livestock auction market to a United States Department of Agriculture Food Safety Inspection Service approved slaughter plant, without meeting the tuberculosis movement testing requirements.

Movement to the TB Free Zone

- Cattle originating from herds that have been determined to have a Verified Wildlife Risk Mitigation Plan
 - No tuberculosis testing is required for movement of cattle and bison to the TB Free Zone or through a Michigan licensed livestock auction market to a final destination within the TB Free Zone.
- Cattle originating from herds that have been determined to **NOT** have a verified Wildlife Risk Mitigation Action Plan
 - Cattle 2 months of age and older must have received a negative bovine tuberculosis test within 60 days prior to movement
 - Cattle may be moved to a United States Department of Agriculture Food Safety Inspection Service approved slaughter plant, or through one Michigan licensed livestock auction market to a United States Department of Agriculture Food Safety Inspection Service approved slaughter plant, without meeting tuberculosis movement testing requirements.

Movement to the Modified Accredited Zone

- Cattle originating from herds that have been determined to have a Verified Wildlife Risk Mitigation Plan
 - No tuberculosis testing is required for movement of cattle and bison to the Modified Accredited Zone or through a Michigan licensed livestock auction market to a final destination within the Modified Accredited Zone.
- Cattle originating from herds that have been determined to **NOT** have a verified Wildlife Risk Mitigation Plan.
 - Cattle 2 months of age and older must have received a negative bovine tuberculosis test within 60 days prior to movement.
 - Cattle may be moved to a United States Department of Agriculture Food Safety Inspection Service approved slaughter plant, or through one Michigan licensed livestock auction market to a United States Department of Agriculture Food Safety Inspection Service approved slaughter plant, without meeting tuberculosis movement testing requirements.

Post-Movement Testing Requirements

Effective January 1, 2012 a person who receives cattle from a herd located in the Modified Accredited Zone or the Modified Accredited Advanced Zone that does not have a Verified Wildlife Risk Mitigation Plan shall complete a bovine tuberculosis test on the received cattle within 60-120 days from the movement date listed on the movement certificate. For movement certificates issued to a Michigan licensed livestock auction market, the owner identified as the purchaser on a movement certificate issued at the Michigan licensed livestock auction market, or the owner of the livestock saleyard for cattle that are not sold, are determined to be responsible for the testing.

If cattle that have not met the testing requirement are sold or transferred to another premises prior to the expiration of the testing interval, the person selling or transferring the cattle must notify the owner of the premises of destination of the testing requirement. The owner of the premises of destination of the sale or transfer shall be responsible for the required testing prior to the end of the testing interval. If the cattle have not been tested and cannot be located at the expiration of the testing interval requirement, the owner of the premises listed on the movement certificate or repermit shall be responsible for completing a whole herd bovine tuberculosis test within a time frame determined by the Director based upon the situation and operation type at that time.

Movement Certificate Requirements

An official movement certificate is required to be obtained prior to movement of any cattle from any premises in the Modified Accredited Advanced zone. Cattle moved to the USDA approved livestock market in Gaylord may move on sale day without a movement certificate if they comply with all other requirements and are delivered within designated arrival times, as designated by the director. All cattle shipped to a Michigan licensed livestock auction market must receive a new official movement certificate that identifies the final destination of movement.

Cattle being transported to another zone must be accompanied by a movement certificate(s) and the movement certificate(s) shall be produced upon the request of a law enforcement officer or the director.

The transporter of any cattle being moved within the zone must be able to immediately provide the correct permit number listed on the official movement certificate applicable to the movement upon request.

Bovine Tuberculosis Free Zone – This zone includes the remainder of Michigan.

Cattle Identification

All cattle must be identified with official RFID electronic identification eartags prior to movement from a premises within Michigan. Official identification tags are premises specific and may not be transferred to another premises or used on cattle not included in the herd on the premises to which the tags were issued.

Surveillance Testing Requirements

All premises of which any portion of land used for housing or pasturing cattle is determined by the Director to be within a 12 mile radius of Iosco County 24N 06E at the convergence of sections 22 and 28, and within a 12 mile radius of Oscoda County 25N 04E section 22 must complete a whole herd bovine tuberculosis test of all cattle and bison 18 months of age and older and all goats or privately owned cervids 6 months of age or older in contact with the herd, unless specifically exempted by the Director.. This test must be completed within 24 months of the most recent whole herd bovine tuberculosis test, but no later than December 31, 2012.

Post-Movement Testing Requirements

A person who receives cattle from a herd located in the Modified Accredited Zone or the Modified Accredited Advanced Zone that does not have a verified Wildlife Risk Mitigation Action Plan shall complete a bovine tuberculosis test on the received cattle within 60-120 days from the movement date listed on the movement certificate. For movement certificates issued to a Michigan licensed livestock auction market, the owner identified as the purchaser on a movement certificate issued at the Michigan licensed livestock auction market, or the owner of the livestock saleyard for cattle that are not sold, are determined to be responsible for the testing.

If cattle that have not met the testing requirement are sold or transferred to another premises prior to the expiration of the testing interval, the person selling or transferring the cattle must notify the owner of the premises of destination of the testing requirement. The owner of the premises of destination of the sale or transfer shall be responsible for completing the required testing prior to the end of the testing interval. If the cattle have not been tested and cannot be located at the expiration of the testing interval requirement, the owner of the premises listed on the movement certificate or repermit shall be responsible for completing a whole herd bovine tuberculosis test within a time frame determined by the Director based upon the situation and operation type at that time.

This testing requirement is effective for movements of cattle from any premises in the Modified Accredited Zone and Modified Accredited Advanced Zone for breeding purposes and for movements of all cattle from Modified Accredited zone townships designated as having high apparent prevalence of bovine tuberculosis in wild white-tailed deer as determined by the director.

Effective January 1, 2012 this testing requirement is effective for all cattle moved from any premises in the Modified Accredited Zone and Modified Accredited Advanced Zone that does not have a verified Wildlife Risk Mitigation Action Plan.

Movement Testing, Certificate, and Owner/Shipper Statement Requirements

The owner of any cattle moved from a premises within a 12 mile radius of Iosco County 24N 06E at the convergence of sections 22 and 28, and within a 12 mile radius of Oscoda County 25N 04E section 22 must complete an official Michigan Owner Shipper Statement prior to movement for farm to farm sales. A copy of this Statement must accompany the animals upon movement, and a copy must be submitted to the Michigan Department of Agriculture within 7 calendar days of movement. An official Michigan Owner Shipper Statement is not required for cattle moved directly to a United States Department of Agriculture Food Safety Inspection Service approved slaughter plant or a Michigan licensed livestock auction market.

Other than stated above, no tuberculosis testing, official movement certificate, or official Michigan Owner Shipper Statement is required to move cattle from other areas of the zone within the bovine tuberculosis free zone, or to other zones within Michigan.

This order supersedes and replaces all prior bovine tuberculosis zoning orders.